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Docket No. RTI-101XC1
Serial No.10/625,014Remarks

Claims 1-98 were pending in the subject application. By this amendment, claims 1, 9, 27, 36, 58, and 98 have been amended and claims 62-96 have been canceled. The undersigned avers that no new matter is introduced by this amendment. Entry and consideration of the amendments presented herein is respectfully requested. Accordingly, claims 1-61 and 97-98 are currently pending in the subject application.

It should be understood that the amendments presented herein have been made solely to expedite prosecution of the subject application to completion. These amendments should not be construed as an indication of Applicants' agreement with or acquiescence to, the rejections of record. Applicants expressly reserve the right to pursue the invention(s) disclosed in the subject application, including any subject matter canceled or not pursued during prosecution of the subject application, in a related application. Favorable consideration of the claims now presented, in view of the remarks and amendments set forth herein, is earnestly solicited.

Claim 1 has been amended to incorporate the limitation of claim 96, "wherein the condenser comprises a dividing wall having an interior surface and an exterior surface, wherein the interior surface is in thermal contact with the compressed refrigerant and the exterior surface is the heat transfer surface". Claim 58 depends on amended claim 1 and has been amended to be consistent with terminology of amended claim 1. Claim 98 has been amended to depend from claim 97. Claims 9, 27, and 36 have been amended into independent form and include the limitations of any base and intervening claims. No new matter is introduced by this amendment.

The applicants acknowledge the Examiner's indication, at page 2 of the Office Action, that the applicant's arguments with respect to the rejections of all the claims under Webber have been fully considered and are persuasive. In addition, the applicants acknowledge the Examiner's indication that a new ground of rejection is made in view of newly discovered patents to Likitcheva (U.S. Patent No. 5,511,384) and Tawney *et al.* (U.S. Patent No. 6,499,534).

Claims 1-3, 5, 19-25, 34, 35, 37, 38, and 52-55 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Likitcheva (U.S. Patent No. 5,511,384); claims 4, 5, 8, 58, and 59 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Likitcheva (U.S. Patent No. 5,511,384) in view of Tawney *et al.* (U.S. Patent No. 6,499,534); claims 39-47, 50, 51, 61, 97, and

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98 have been rejected under 35 USC §103(a) as being unpatentable over Likitcheva (U.S. Patent No. 5,511,384) in view of Webber (U.S. Patent No. 3,926,008); and claims 48 and 49 have been rejected under 35 USC §103(a) as being unpatentable over Likitcheva (U.S. Patent No. 5,511,384) in view of Webber (U.S. Patent No. 3,926,008), as applied to claim 47 and in further view of Reagan *et al.* (U.S. Patent No. 6,370,775). By this amendment, claim 1 has been amended to incorporate the limitation of claim 96, which depended from claim 1 and was indicated as allowable by the Examiner. Therefore, claim 1 as amended has the same scope as canceled claim 96, which was indicated as allowable. Claims 2-61 and 97-98 depend, either directly or indirectly, from claim 1. Accordingly, applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-6, 8, 19-25, 34, 35, 37-55, 58, 59, 61, 97, and 98 under 35 U.S.C. §103(a).

Applicants gratefully acknowledge the Examiner's indication that claims 9-17, 27-33, 36, and 96 would be allowable if rewritten in independent form with the limitations of any base and intervening claims. By this Amendment, claims 9, 27, and 36 have been amended to be rewritten in independent form with the limitations of any base and intervening claims. Claim 96 has been canceled and the limitation of claim 96 has been included in amended claim 1. Accordingly, applicants respectfully request reconsideration and removal of the objection of claims 9-17, 27-33, 36, and 96.

In addition, claim 7 depends from claim 4, which depends from claim 1; claim 18 depends, indirectly, from claim 9; claim 26 depends from claim 25, which depends from claim 1; claim 56 depends from 1; claim 57 depends from claim 56, which depends from claim 1 and claim 60 depends from claim 58, which depends from claim 1. As claims 7, 18, 26, 56, 57, and 60 each depend, either directly or indirectly, from an allowed generic or linking claim, applicants respectfully request examination of the withdrawn claims 7, 18, 26, 56, 57, and 60.

Applicants respectfully request notice of the allowability of independent claim 1 and its dependent claims 2-6, 8, 19-25, 34-35, 37-55, 58, 59, 61, 97, and 98, of independent claim 9 and its dependent claims 10-17, of independent claim 27 and its dependent claims 28-33, and of independent claim 36. Further, applicants respectfully request notice of the allowability of dependent claims 7, 18, 26, 56, 57, and 60, which depend, either directly or indirectly, from allowed claims 1 or claim 9.

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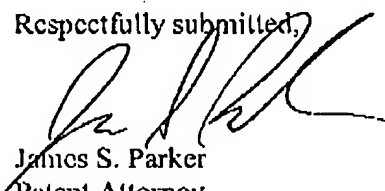
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In view of the foregoing remarks and amendments to the claims, the applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Applicant invites the Examiner to call the undersigned if clarification is needed on any aspect of this response, or if the Examiner believes there remains any valid ground upon which any claim in this application may be rejected subsequent to entrance of this amendment.

Respectfully submitted,


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